

☒ NON-EXEMPT ☐ PARTIALLY EXEMPT ☐ EXEMPT

**Mendez, Gayla**

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**From:** Nuhfer, Mark  
**Sent:** Thursday, September 18, 2014 3:20 PM  
**To:** Staples, Bridget; Bouma, Stacey  
**Subject:** FW: NATURAL GAS: Duke Energy opts to buy Fla. plant from Calpine

**Feed:** Greenwire  
**Posted on:** Friday, August 29, 2014 1:11 PM  
**Author:** Greenwire  
**Subject:** NATURAL GAS: Duke Energy opts to buy Fla. plant from Calpine

Duke Energy Corp. has switched tactics in its strategy to increase power output, announcing a still-unfinalized deal with Calpine Corp. to buy a Florida power plant.

[View article...](#)

**Mendez, Gayla**

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**From:** Bouma, Stacey  
**Sent:** Friday, September 19, 2014 4:58 PM  
**To:** Dromgoole, Ahmad  
**Subject:** FW: Duke Energy Withdrawal of Decant letter  
**Attachments:** dukesigneddecantwithdrawal.pdf

**From:** Bouma, Stacey  
**Sent:** Friday, September 19, 2014 4:45 PM  
**To:** Hom, Michael; Ireland, Laurie; Bush, William  
**Cc:** Hicks, Matt  
**Subject:** FW: Duke Energy Withdrawal of Decant letter

**From:** Nuhfer, Mark  
**Sent:** Friday, September 19, 2014 1:15 PM  
**To:** Mundrick, Doug; Thomas, Chris; Bouma, Stacey; Schwartz, Paul; Hicks, Matt; Staples, Bridget; Diaz, Denisse; Ghosh, Mita  
**Subject:** FW: Duke Energy Withdrawal of Decant letter

**From:** Poupart, Jeff [<mailto:jeff.poupart@ncdenr.gov>]  
**Sent:** Friday, September 19, 2014 11:28 AM  
**To:** McIntire, Mark; Wells, James; Reeder, Tom; Evans, John; Vandervaart, Donald; Nuhfer, Mark; Bouma, Stacey  
**Cc:** Smith, Danny; Parker, Michael; Davidson, Landon; Basinger, Corey; Henson, Belinda; May, David; Gregson, Jim; Chernikov, Sergei  
**Subject:** Duke Energy Withdrawal of Decant letter

Attached please find a scanned copy of a letter withdrawing the operating condition clarification letter dated August 28



North Carolina Department of Environment and Natural Resources

Pat McCrory  
Governor

John E. Skvarla, III  
Secretary

September 19, 2014

**CERTIFIED MAIL 7013 2630 0001 8998 1567**  
**RETURN RECEIPT REQUESTED**

Mark McIntire  
Duke Energy  
410 S. Wilmington Street  
Raleigh, NC 27601

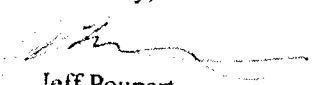
Subject: Withdrawal of August 28, 2014 Operating Condition Clarification Letter  
Allen Steam Station NC0004979 Gaston County  
Buck Steam Station NC0004774 Rowan County  
Marshall Steam Station NC0004987 Catawba County  
Lee Steam Electric Plant NC0003417 Wayne County  
Weatherspoon Steam Electric Plant NC0005363 Robeson County  
Mayo Steam Electric Power Plant NC0038377 Person County  
Roxboro Steam Electric Power Plant NC0003425 Person County  
Riverbend Steam Station NC0004961 Gaston County  
Asheville Steam Station NC000396 Buncombe County  
Belews Creek NC0024406 Stokes County  
L.V. Sutton Electric Plant NC0001422 New Hanover County  
Cape Fear Steam Electric NC0003433 Generating Plant Chatham County  
Dan River Combined Cycle Plant NC0003468 Rockingham County  
Cliffside Steam Station NC0005088 Gaston County

Dear Mr. McIntire:

The Division hereby withdraws the letter sent to you dated August 28, 2014 that attempted to define operating conditions to allow the initiation of coal ash removal under your existing NPDES permits. The letter is being withdrawn due to concerns that were raised by the EPA in the attached September 16, 2014 letter.

Notwithstanding the delay in removing coal ash associated with a modification of your permits, NCDENR agrees with EPA's suggestion that a modification process may be a better vehicle to initiate this work. If you have any questions about this letter or the additional application requirements, please contact me at (919) 807-6309, or via e-mail at [jeff.poupart@ncdenr.gov](mailto:jeff.poupart@ncdenr.gov).

Sincerely,



Jeff Poupart

Water Quality Permitting Section Chief

cc: EPA Region IV, Mark Nuffer  
Central Files  
DWR Regional Offices



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 4  
ATLANTA FEDERAL CENTER  
51 FORSYTH STREET  
ATLANTA, GEORGIA 30303-8960

SEP 16 2014

Mr. Jeff Poupart  
Chief, Permitting Section  
Division of Water Quality  
North Carolina Department of Environment  
and Natural Resources  
1611 Mail Service Center  
Raleigh, North Carolina 27699-1611

Subject: Letter Dated August 28, 2014 to Duke Energy Regarding Decanting of Wastewater

Dear Mr. Poupart:

This letter is to recommend that you withdraw the above-referenced letter (enclosed) and provide additional information about the potential effluent characteristics of the decanted wastewater. The U.S. Environmental Protection Agency is concerned that the August 28, 2014, letter will create uncertainty that could result in Duke Energy discharging wastewater with pollutants not authorized in a National Pollutant Discharge Elimination System (NPDES) permit.

The letter attempted to clarify for Duke Energy that it may proceed to "decant all the wastewater in the ash pond above the ash level" at each of 14 ash ponds under currently applicable NPDES permits. It prohibits Duke Energy from removing wastewater by dredging, trench excavation or other mechanical movement of the ash. The letter requests Duke to submit chemical characterization of the interstitial ash water and predicted volume of wastewater that would be generated by mechanical dewatering. The letter gives Duke no deadline by which to submit this information.

The extent to which the pond can be drawn down through "decanting," as opposed to mechanical dewatering, is not clear in the letter. Rather than clarifying the issue, the letter creates uncertainty as to whether or not Duke is, or is not, authorized to discharge through the decanting process almost all liquid in the ash ponds, including interstitial ash water. It is also not clear whether Duke Energy, through this letter, is now newly authorized to discharge additional pollutants or higher pollutant concentrations that may be present due to any changes in effluent quality while the ponds are drawn down to the ash level.

The letter indicates that the discharge of "supernatant" shall be monitored in accordance with the NPDES permit. However, the applicable permits only require monitoring for a limited number of pollutants once every six months. As a result, Duke Energy could draw the ponds down completely without taking a single sample to assess effluent quality, permit compliance, or water quality impact.

Based on the EPA's review of Duke Energy's initial applications and permit documents, it does not appear that they requested authorization to conduct large-scale "decanting" or drawdown processes. It does not appear that Duke Energy disclosed information or data about the effluent characteristics and average flows of the decanted wastewater as required by 40 Code of Federal Regulations (CFR)

122.21(g). Nor does it appear that the North Carolina Department of Environment and Natural Resources contemplated large-scale decanting when issuing each of the 14 Duke Energy permits.

The characterization of effluent quality and quantity in the permit applications appear to have been based on normal (gravity-based or passive) discharges of wastewater from the surface of the ponds after full settling has occurred. It is possible, however, that higher concentrations of pollutants may be present at deeper levels in the pond which will be discharged in the decanted wastewater. Further, the drawdown of wastewater may involve a much higher discharge rate than contemplated at the time the permits were issued. The letter also relates to 14 separate facilities, which have different receiving stream conditions, such as minimum flows and existing water quality which could affect a revised reasonable potential analysis.

There was no information in the letter showing that any analysis of potential changes to effluent quality or quantity has been undertaken, nor any evaluation of the impact that such changes might have on a revised reasonable potential analysis for the additional discharge. Should this information already be available, please submit it for our evaluation.

Without additional information, it is not possible to determine whether or not a formal permit modification would be necessary to authorize the discharge of changed effluent quality or volume that may occur during the decanting process at these 14 facilities. However, it is likely that at a minimum, significant additional monitoring (if not additional effluent limitations) during the decanting process would be warranted to ensure compliance with existing effluent limits and water quality standards.

Without submittal of additional information by Duke Energy and subsequent revised reasonable potential analyses by DENR, made available to the EPA and the general public, discharges of additional decanted wastewater and additional pollutants will not qualify for NPDES permit shield protections under Section 402(k) of the Clean Water Act.

The EPA therefore requests that DENR withdraw the letter and obtain additional data for each facility at which Duke Energy plans to decant or drawdown any and all additional wastewater to the ash level.

If you have not already done so, the EPA requests that you require Duke Energy to provide the following information to DENR for each of the 14 facilities referenced in the letter:

- data characterizing the effluent quality of the decanted wastewater to the ash level;
- anticipated weekly average and maximum daily wastewater flow rates during drawdown;
- pollutant concentrations in ash ponds at various depths between the base and surface of the ponds for all pollutants known or believed to be present in the discharge of decanted wastewater to the ash level;
- data showing background pollutant concentrations in receiving streams for all pollutants known or believed to be present in the discharge of the decanted wastewater;
- low (7Q10) stream flow in each receiving waterbody; and
- additional information about how it will be ensured that only decanted wastewater and not wastewater resulting from dredging the ash, excavating the trenches, or any other mechanical movement of the ash will be discharged.

DENR should use the additional information to conduct revised reasonable potential analyses for each of the 14 facilities to inform decisions regarding the need for a permit modification and the potential need for additional monitoring requirements and/or water quality based effluent limits.

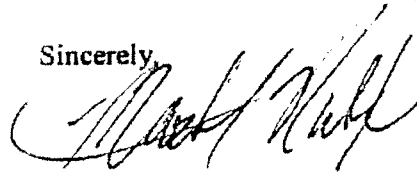
The EPA requests that you provide us with this data and information for our review, as well as revised reasonable potential analyses. This will enable us to appropriately determine together with DENR whether or not formal permit modifications will be required to authorize Duke Energy to discharge decanted wastewater from these 14 facilities.

The EPA notes that any permit modifications should include additional technology-based effluent limitations on a case-by-case basis based on best professional judgment as required section by § 402(a) of the Clean Water Act, 40 CFR § 122.44(a), § 123.25, and § 125.3. In particular any additional technology-based effluent limitations should address pollutants discharged from the ash ponds that are not included in effluent guidelines for the steam electric power generating industry in 40 CFR Part 423.

In subsequent discussions with representatives of DENR, it appears that one of the worthy goals of this letter was to expedite closure of some ash ponds by addressing Duke Energy's need to remove wastewater from the pond. We recommend that you consider alternative enforceable approaches, in addition to potential permit modifications, that will achieve this purpose while ensuring protection of water quality during the decanting process.

The EPA looks forward to working together with DENR to discuss our requests and recommendations to ensure that any discharges of wastewater from the decanting or dewatering process be appropriately authorized.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Nuhfer', written over a horizontal line.

Mark J. Nuhfer, Chief  
Municipal and Industrial NPDES Section

Enclosure

cc: Mr. Mark McIntire  
Duke Energy

**Mendez, Gayla**

---

**From:** Staples, Bridget  
**Sent:** Monday, September 08, 2014 9:15 AM  
**To:** Bouma, Stacey; Diaz, Denisse; Bush, William; Hicks, Matt; Ireland, Laurie; Hom, Michael  
**Subject:** FW: Duke Coal FW: Riverbend Add Info letter  
**Attachments:** Duke add info Aug 2014.pdf

Bridget Staples, M.P.H.  
Environmental Scientist, NPDES Permitting  
U.S. Environmental Protection Agency, Region IV  
61 Forsyth Street, SW  
Atlanta, Georgia 30303  
404-562-9783

**From:** Staples, Bridget  
**Sent:** Thursday, August 14, 2014 11:47 AM  
**To:** Ghosh, Mita  
**Subject:** Duke Coal FW: Riverbend Add Info letter

FYI

Bridget Staples, M.P.H.  
Environmental Scientist, NPDES Permitting  
U.S. Environmental Protection Agency, Region IV  
61 Forsyth Street, SW  
Atlanta, Georgia 30303  
404-562-9783

**From:** Nuhfer, Mark  
**Sent:** Thursday, August 14, 2014 10:00 AM  
**To:** Staples, Bridget  
**Subject:** FW: Riverbend Add Info letter

**From:** Poupart, Jeff [<mailto:jeff.poupart@ncdenr.gov>]  
**Sent:** Thursday, August 14, 2014 8:47 AM  
**To:** Stowe, Allen; Evans, John; Allen, Jason M  
**Cc:** Nuhfer, Mark; Chernikov, Sergei  
**Subject:** Riverbend Add Info letter

**From:** Bownes, Janice H  
**Sent:** Wednesday, August 13, 2014 8:58 AM  
**To:** Poupart, Jeff



North Carolina Department of Environment and Natural Resources

Pat McCrory  
Governor

John E. Skvarla, III  
Secretary

August 12, 2014

**CERTIFIED MAIL 7002 0860 0006 5836 0328**  
**RETURN RECEIPT REQUESTED**

Allen Stowe  
Duke Energy  
526 South Church Street  
Charlotte, NC 28202

Subject: NPDES Wastewater Permit Application  
Permit **NC0004961**  
Additional Information Request  
Riverbend Steam Station, Gaston County

Dear Mr. Stowe:

The Division of Water Resources (Division) has reviewed your application for the renewal of the subject permit. The Division requests additional information that is necessary to process the permit renewal application. The Division's current understanding is that Duke Energy is planning to remove the Coal Combustion Residuals (CCR) from this site. This process would require the establishment of a location where excavated CCR will be dewatered prior to being loaded on trucks or rail cars. The Division is required to evaluate the water quality impacts of the water that will be drained from the CCR on the receiving stream and also establish an outfall for this new wastewater source. Therefore, the Division requests the following information:

- 1) Location of the loading/dewatering site
- 2) Projected volume of ash that will be processed through this site
- 3) Projected volume of wastewater generated on this site
- 4) Chemical characterization of the wastewater generated on this site. The wastewater should be analyzed for the following parameters: Cl, F, SO<sub>4</sub>, Hg (Method 1631E), Al, Ba, B, Fe, Mn, Zn, Sb, As, Cd, Cr, Cu, Pb, Mo, Ni, Se, Tl, pH, TDS, TSS, Temperature, and Specific Conductance.
- 5) Location of the outfall for this wastewater, including latitude and longitude and topographic map.  
Alternatively, the facility can use the existing outfall 002 for the wastewater discharge. However, this new waste stream shall be sampled prior to its mixing with the existing flow in the concrete conveyance that is used for outfall 002.

If you have any questions about this request, please contact Sergei Chernikov at the following e-mail address: [sergei.chernikov@ncdenr.gov](mailto:sergei.chernikov@ncdenr.gov), or telephone number: 919-807-6386.

Sincerely,

Thomas A. Reeder  
Director, Division of Water Resources

cc: Jason Allen, Duke Energy  
NPDES Files  
EPA Region IV (e-copy)  
Winston-Salem Regional Office/Water Quality (e-copy)

1617 Mail Service Center, Raleigh, North Carolina 27699-1617  
Phone: 919-807-6300 \ Internet: [www.ncwaterquality.org](http://www.ncwaterquality.org)

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**Mendez, Gayla**

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**From:** Ghosh, Mita  
**Sent:** Tuesday, September 16, 2014 4:44 PM  
**To:** Gordon, Scott  
**Subject:** FW: EPA's response to DENR's August 28 decanting letter to Duke Energy  
**Attachments:** EPA Response to Decanting letter.pdf

**From:** Schwartz, Paul  
**Sent:** Tuesday, September 16, 2014 4:41 PM  
**To:** Ghosh, Mita; Hicks, Matt; Bush, William  
**Subject:** FW: EPA's response to DENR's August 28 decanting letter to Duke Energy

**From:** Nuhfer, Mark  
**Sent:** Tuesday, September 16, 2014 4:39 PM  
**To:** [jeff.poupart@ncdenr.gov](mailto:jeff.poupart@ncdenr.gov)  
**Subject:** EPA's response to DENR's August 28 decanting letter to Duke Energy

Jeff- Please find our response letter enclosed. Hard copies are being sent today or tomorrow morning.

Sincerely,

Mark Nuhfer, Chief  
Municipal and Industrial NPDES Section  
EPA Region 4  
[Nuhfer.mark@epa.gov](mailto:Nuhfer.mark@epa.gov)  
404.562.9390



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 4  
ATLANTA FEDERAL CENTER  
51 FORSYTH STREET  
ATLANTA, GEORGIA 30303-8960

SEP 16 2014

Mr. Jeff Poupart  
Chief, Permitting Section  
Division of Water Quality  
North Carolina Department of Environment  
and Natural Resources  
1611 Mail Service Center  
Raleigh, North Carolina 27699-1611

Subject: Letter Dated August 28, 2014 to Duke Energy Regarding Decanting of Wastewater

Dear Mr. Poupart:

This letter is to recommend that you withdraw the above-referenced letter (enclosed) and provide additional information about the potential effluent characteristics of the decanted wastewater. The U.S. Environmental Protection Agency is concerned that the August 28, 2014, letter will create uncertainty that could result in Duke Energy discharging wastewater with pollutants not authorized in a National Pollutant Discharge Elimination System (NPDES) permit.

The letter attempted to clarify for Duke Energy that it may proceed to "decant all the wastewater in the ash pond above the ash level" at each of 14 ash ponds under currently applicable NPDES permits. It prohibits Duke Energy from removing wastewater by dredging, trench excavation or other mechanical movement of the ash. The letter requests Duke to submit chemical characterization of the interstitial ash water and predicted volume of wastewater that would be generated by mechanical dewatering. The letter gives Duke no deadline by which to submit this information.

The extent to which the pond can be drawn down through "decanting," as opposed to mechanical dewatering, is not clear in the letter. Rather than clarifying the issue, the letter creates uncertainty as to whether or not Duke is, or is not, authorized to discharge through the decanting process almost all liquid in the ash ponds, including interstitial ash water. It is also not clear whether Duke Energy, through this letter, is now newly authorized to discharge additional pollutants or higher pollutant concentrations that may be present due to any changes in effluent quality while the ponds are drawn down to the ash level.

The letter indicates that the discharge of "supernatant" shall be monitored in accordance with the NPDES permit. However, the applicable permits only require monitoring for a limited number of pollutants once every six months. As a result, Duke Energy could draw the ponds down completely without taking a single sample to assess effluent quality, permit compliance, or water quality impact.

Based on the EPA's review of Duke Energy's initial applications and permit documents, it does not appear that they requested authorization to conduct large-scale "decanting" or drawdown processes. It does not appear that Duke Energy disclosed information or data about the effluent characteristics and average flows of the decanted wastewater as required by 40 Code of Federal Regulations (CFR)

122.21(g). Nor does it appear that the North Carolina Department of Environment and Natural Resources contemplated large-scale decanting when issuing each of the 14 Duke Energy permits.

The characterization of effluent quality and quantity in the permit applications appear to have been based on normal (gravity-based or passive) discharges of wastewater from the surface of the ponds after full settling has occurred. It is possible, however, that higher concentrations of pollutants may be present at deeper levels in the pond which will be discharged in the decanted wastewater. Further, the drawdown of wastewater may involve a much higher discharge rate than contemplated at the time the permits were issued. The letter also relates to 14 separate facilities, which have different receiving stream conditions, such as minimum flows and existing water quality which could affect a revised reasonable potential analysis.

There was no information in the letter showing that any analysis of potential changes to effluent quality or quantity has been undertaken, nor any evaluation of the impact that such changes might have on a revised reasonable potential analysis for the additional discharge. Should this information already be available, please submit it for our evaluation.

Without additional information, it is not possible to determine whether or not a formal permit modification would be necessary to authorize the discharge of changed effluent quality or volume that may occur during the decanting process at these 14 facilities. However, it is likely that at a minimum, significant additional monitoring (if not additional effluent limitations) during the decanting process would be warranted to ensure compliance with existing effluent limits and water quality standards.

Without submittal of additional information by Duke Energy and subsequent revised reasonable potential analyses by DENR, made available to the EPA and the general public, discharges of additional decanted wastewater and additional pollutants will not qualify for NPDES permit shield protections under Section 402(k) of the Clean Water Act.

The EPA therefore requests that DENR withdraw the letter and obtain additional data for each facility at which Duke Energy plans to decant or drawdown any and all additional wastewater to the ash level.

If you have not already done so, the EPA requests that you require Duke Energy to provide the following information to DENR for each of the 14 facilities referenced in the letter:

- data characterizing the effluent quality of the decanted wastewater to the ash level;
- anticipated weekly average and maximum daily wastewater flow rates during drawdown;
- pollutant concentrations in ash ponds at various depths between the base and surface of the ponds for all pollutants known or believed to be present in the discharge of decanted wastewater to the ash level;
- data showing background pollutant concentrations in receiving streams for all pollutants known or believed to be present in the discharge of the decanted wastewater;
- low (7Q10) stream flow in each receiving waterbody; and
- additional information about how it will be ensured that only decanted wastewater and not wastewater resulting from dredging the ash, excavating the trenches, or any other mechanical movement of the ash will be discharged.

DENR should use the additional information to conduct revised reasonable potential analyses for each of the 14 facilities to inform decisions regarding the need for a permit modification and the potential need for additional monitoring requirements and/or water quality based effluent limits.

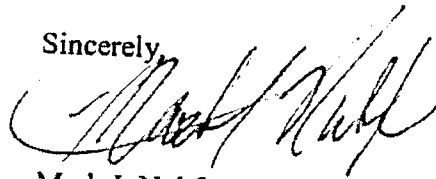
The EPA requests that you provide us with this data and information for our review, as well as revised reasonable potential analyses. This will enable us to appropriately determine together with DENR whether or not formal permit modifications will be required to authorize Duke Energy to discharge decanted wastewater from these 14 facilities.

The EPA notes that any permit modifications should include additional technology-based effluent limitations on a case-by-case basis based on best professional judgment as required section by § 402(a) of the Clean Water Act, 40 CFR § 122.44(a), § 123.25, and § 125.3. In particular any additional technology-based effluent limitations should address pollutants discharged from the ash ponds that are not included in effluent guidelines for the steam electric power generating industry in 40 CFR Part 423.

In subsequent discussions with representatives of DENR, it appears that one of the worthy goals of this letter was to expedite closure of some ash ponds by addressing Duke Energy's need to remove wastewater from the pond. We recommend that you consider alternative enforceable approaches, in addition to potential permit modifications, that will achieve this purpose while ensuring protection of water quality during the decanting process.

The EPA looks forward to working together with DENR to discuss our requests and recommendations to ensure that any discharges of wastewater from the decanting or dewatering process be appropriately authorized.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Nuhfer', written over a horizontal line.

Mark J. Nuhfer, Chief  
Municipal and Industrial NPDES Section

Enclosure

cc: Mr. Mark McIntire  
Duke Energy





North Carolina Department of Environment and Natural Resources

Pat McCrory  
Governor

John E. Skvarla, III  
Secretary

August 28, 2014

**CERTIFIED MAIL 7013 2630 0001 8998 1581**  
**RETURN RECEIPT REQUESTED**

Mark McIntire  
Duke Energy  
410 S. Wilmington Street  
Raleigh, NC 27601

Subject: Duke Energy Notice of Operating Condition Clarification  
Allen Steam Station NC0004979 Gaston County  
Buck Steam Station NC0004774 Rowan County  
Marshall Steam Station NC0004987 Catawba County  
Lee Steam Electric Plant NC0003417 Wayne County  
Weatherspoon Steam Electric Plant NC0005363 Robeson County  
Mayo Steam Electric Power Plant NC0038377 Person County  
Roxboro Steam Electric Power Plant NC0003425 Person County  
Riverbend Steam Station NC0004961 Gaston County  
Asheville Steam Station NC000396 Buncombe County  
Belews Creek NC0024406 Stokes County  
L.V. Sutton Electric Plant NC0001422 New Hanover County  
Cape Fear Steam Electric NC0003433 Generating Plant Chatham County  
Dan River Combined Cycle Plant NC0003468 Rockingham County  
Cliffside Steam Station NC0005088 Gaston County

Dear Mr. McIntire:

This letter is to clarify operating conditions for NPDES Permits issued to the above listed facilities. The Permittee is authorized by the existing NPDES wastewater permits to decant all the wastewater in the ash pond above the ash level provided the supernatant is directed through the same discharge point and monitored in accordance with the NPDES permit requirements.

The Permittee is prohibited from removing wastewater by dredging the ash, excavating the trenches, or any other mechanical movement of the ash. Duke Energy shall submit the chemical characterization of the interstitial ash water from the ash basin and predicted volume of wastewater that will be generated by mechanical dewatering.

If you have any questions about this letter, please contact me at (919) 807-6309, or via e-mail at [jeff.poupart@ncdenr.gov](mailto:jeff.poupart@ncdenr.gov).

Sincerely,

Jeff Poupart  
Water Quality Permitting Section Chief

cc: EPA Region IV, Mark Nuffer  
Central Files  
DWR Regional Offices

1511 Mail Service Center, Raleigh, North Carolina 27699-1611  
Phone 919-707-3000 Internet [www.ncwater.org](http://www.ncwater.org)

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**Mendez, Gayla**

---

**From:** Ghosh, Mita  
**Sent:** Thursday, August 28, 2014 11:47 AM  
**To:** Gordon, Scott; Diaz, Denisse; Bush, William; Hicks, Matt; Bouma, Stacey; Hom, Michael; Ireland, Laurie  
**Subject:** RE: DUKE Energy

Ex 5 DPP

**From:** Gordon, Scott  
**Sent:** Thursday, August 28, 2014 11:46 AM  
**To:** Ghosh, Mita; Diaz, Denisse; Bush, William; Hicks, Matt; Bouma, Stacey; Hom, Michael; Ireland, Laurie  
**Subject:** RE: DUKE Energy

Ex 5 DPP

**From:** Ghosh, Mita  
**Sent:** Thursday, August 28, 2014 11:44 AM  
**To:** Gordon, Scott; Diaz, Denisse; Bush, William; Hicks, Matt; Bouma, Stacey; Hom, Michael; Ireland, Laurie  
**Subject:** RE: DUKE Energy

Scott:

EX 5 DPP

Mita

**From:** Gordon, Scott  
**Sent:** Thursday, August 28, 2014 11:41 AM  
**To:** Ghosh, Mita; Diaz, Denisse; Bush, William; Hicks, Matt; Bouma, Stacey; Hom, Michael; Ireland, Laurie  
**Subject:** DUKE Energy

EX 5 DPP

**From:** Skvarla, John [<mailto:John.Skvarla@ncdenr.gov>]  
**Sent:** Thursday, August 28, 2014 9:24 AM  
**To:** Gordon, Scott  
**Cc:** Miller, Alice V  
**Subject:** FW: DENR letter coal ash response 82814

Scott:  
Here's the press release. I'll get you the final form seven page letter shortly.  
Skvarla

**From:** Elliot, Drew  
**Sent:** Thursday, August 28, 2014 9:15 AM

Information Redacted pursuant to  
5 U.S.C. Section 552 (b)(5), Exemption 5,  
Privileged Inter/Intra Agency Document

Specific Privilege: DPP

**To:** Skvarla, John

**Subject:** DENR letter coal ash response 82814

This is the latest draft.

**Drew Elliot**

Communications Director

N.C. Department of Environment and Natural Resources

1601 Mail Service Center, Raleigh, NC 27699-1601

919-707-8626 (desk)

919-397-9531 (mobile)

[drew.elliott@ncdenr.gov](mailto:drew.elliott@ncdenr.gov)



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## N.C. Department of Environment and Natural Resources

Release: Immediate  
Date: Aug. 28, 2014

Contact: Drew Elliot  
Phone: 919-707-8626

### State environmental agency details actions on coal ash in letter to citizens group

**RALEIGH** – The N.C. Department of Environment and Natural Resources is addressing all known violations of the Clean Water Act at Duke Energy's 33 coal ash impoundments and has been acting on the problem aggressively since Governor Pat McCrory took office, an official with the state agency said today in a letter to an environmental group.

Donald van der Vaart, DENR's deputy secretary, sent the letter to the Southern Environmental Law Center, the Environmental Protection Agency and Duke Energy in response to the law center's intent to sue Duke Energy for violations of the Clean Water Act at the utility's coal ash facilities. The law center gave DENR a 60-day notice on July 2 of its intent to sue to force action on what the law center claims are Clean Water Act violations at the Buck Plant (Rowan County), Cape Fear Plant (Chatham County), and the H.F. Lee Plant (Wayne County).

The letter details many of the department's actions taken to address coal ash in North Carolina and maintains that all known violations of federal law are being addressed by lawsuits DENR has filed against Duke Energy and the state agency's enforcement partnership with the Environmental Protection Agency. DENR consulted with the N.C. attorney general's office regarding the alleged Clean Water Act violations and concluded that the violations were already being addressed. DENR also discussed the law center's letters with the EPA before taking today's action.

The agency's letter states that under the leadership of Secretary John Skvarla, whom Governor McCrory appointed in January 2013 to head the N.C. Department of Environment and Natural Resources (DENR), the agency "has undertaken enforcement action to address the long-ignored environmental problems associated with coal ash ponds" in North Carolina.

Federal law delegates duties to state agencies to enforce the Clean Water Act. The Clean Water Act also contains a citizens-suit provision that grants federal courts the authority to enforce the law only if a state agency is not performing its duties under the act.

DENR's letter notes that the citizens groups and DENR agree on an important point – that regulation on coal ash has been lax in the past: "It is clear that prior to January 2013 when this Administration took office, Duke Energy was allowed to operate coal ash impoundments resulting in groundwater contamination that potentially threatens threatened North Carolina's environment and public health."

The agency has taken a more strident approach to address groundwater and coal ash contamination than any previous administration, and took many of those actions before the Dan River spill in February 2014 and the SELC's notices of intent to sue.

The letter can be found at **ONLINE ADDRESS HERE**. A summary of the letter's contents is contained on the following page.

###

Jamie Kritzer, Public Information Officer  
Phone: (919) 707-8602  
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1601 Mail Service Center, Raleigh, NC 27699-1601  
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Facebook:

RSS feed: <http://portal.ncdenr.org/web/opa/news-releases-rss>

Twitter: <http://twitter.com/NCDENR>

- **Coal Ash Management Act of 2014:** Last week, the General Assembly adopted the Coal Ash Management Act. The legislation, which was approved by lawmakers on Aug. 20, was based on McCrory's April 2014 plan.

---

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Twitter: <http://twitter.com/NCDENR>

**Mendez, Gayla**

**From:** Diaz, Denisse  
**Sent:** Thursday, August 28, 2014 2:31 PM  
**To:** Hom, Michael  
**Cc:** Ireland, Laurie; Ghosh, Mita  
**Subject:** FW: DUKE Energy  
**Attachments:** DENR letter coal ash response 82814.docx  
**Importance:** High

Information Redacted pursuant to  
5 U.S.C. Section 552 (b)(5), Exemption 5,  
Privileged Inter/Intra Agency Document

Specific Privilege: DPP

DD

- **Enhanced inspections:** Since January 2013, DENR has performed more than 75 inspections at Duke Energy's 14 sites with coal ash storage. In March 2014, DENR required the utility to conduct video inspections of all its ash pond piping. DENR identified several issues to be addressed and more information that was needed. The agency is in the process of reviewing and authorizing proposed corrective actions.

**From:** Lincoln, Larry  
**Sent:** Thursday, August 28, 2014 12:45 PM  
**To:** Gordon, Scott  
**Cc:** Diaz, Denisse; Hicks, Matt; Ghosh, Mita; Wilkes, Mary; Bush, William  
**Subject:** RE: DUKE Energy

Latest version of Duke Press Release.

*Larry*

Larry S. Lincoln  
Director  
Office of External Affairs  
U.S. Environmental Protection Agency, Region 4  
Phone: (404) 562-8304  
e-mail: [lincoln.larry@epa.gov](mailto:lincoln.larry@epa.gov)  
<http://www.epa.gov/region4/newsevents/index.html>  
Follow Region 4 on Twitter: [www.twitter.com/EPASoutheast](http://www.twitter.com/EPASoutheast)  
and Facebook: [www.facebook.com/eparegion4](http://www.facebook.com/eparegion4)

**From:** Gordon, Scott  
**Sent:** Thursday, August 28, 2014 11:45 AM  
**To:** Lincoln, Larry  
**Cc:** Diaz, Denisse; Hicks, Matt; Ghosh, Mita; Wilkes, Mary; Bush, William  
**Subject:** FW: DUKE Energy

Information Redacted pursuant to  
5 U.S.C. Section 552 (b)(5), Exemption 7  
Privileged Inter/Intra Agency Document

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DPP

**From:** Gordon, Scott

**Sent:** Thursday, August 28, 2014 11:41 AM

**To:** Ghosh, Mita; Denisse Diaz; Bush, William; Hicks, Matt; Stacey Bouma; Hom, Michael; Ireland, Laurie

**Subject:** DUKE Energy

Bill – I remembered.

**From:** Skvarla, John [<mailto:John.Skvarla@ncdenr.gov>]

**Sent:** Thursday, August 28, 2014 9:24 AM

**To:** Gordon, Scott

**Cc:** Miller, Alice V

**Subject:** FW: DENR letter coal ash response 82814

Scott:

Here's the press release. I'll get you the final form seven page letter shortly.  
Skvarla

---

**From:** Elliot, Drew

**Sent:** Thursday, August 28, 2014 9:15 AM

**To:** Skvarla, John

**Subject:** DENR letter coal ash response 82814

This is the latest draft.

**Drew Elliot**

Communications Director

N.C. Department of Environment and Natural Resources

1601 Mail Service Center, Raleigh, NC 27699-1601

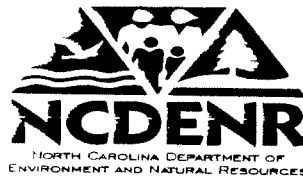
919-707-8626 (desk)

919-397-9531 (mobile)

[drew.elliott@ncdenr.gov](mailto:drew.elliott@ncdenr.gov)



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## N.C. Department of Environment and Natural Resources

Release: Immediate  
Date: Aug. 28, 2014

Contact: Drew Elliot  
Phone: 919-707-8626

### State environmental agency details actions on coal ash in letter to citizens group

**RALEIGH** – The N.C. Department of Environment and Natural Resources is addressing all known violations of the Clean Water Act at Duke Energy's 33 coal ash impoundments and has been acting on the problem aggressively since Governor Pat McCrory took office, an official with the state agency said today in a letter to an environmental group.

Donald van der Vaart, DENR's deputy secretary, sent the letter to the Southern Environmental Law Center, the Environmental Protection Agency and Duke Energy in response to the law center's intent to sue Duke Energy for violations of the Clean Water Act at the utility's coal ash facilities. The law center gave DENR a 60-day notice on July 2 of its intent to sue to force action on what the law center claims are Clean Water Act violations at the Buck Plant (Rowan County), Cape Fear Plant (Chatham County), and the H.F. Lee Plant (Wayne County).

The letter details many of the department's actions taken to address coal ash in North Carolina and maintains that all known violations of federal law are being addressed by lawsuits DENR has filed against Duke Energy and the state agency's enforcement partnership with the Environmental Protection Agency. DENR consulted with the N.C. attorney general's office regarding the alleged Clean Water Act violations and concluded that the violations were already being addressed. DENR also discussed the law center's letters with the EPA before taking today's action.

The agency's letter states that under the leadership of Secretary John Skvarla, whom Governor McCrory appointed in January 2013 to head the N.C. Department of Environment and Natural Resources (DENR), the agency "has undertaken enforcement action to address the long-ignored environmental problems associated with coal ash ponds" in North Carolina.

Federal law delegates duties to state agencies to enforce the Clean Water Act. The Clean Water Act also contains a citizens-suit provision that grants federal courts the authority to enforce the law only if a state agency is not performing its duties under the act.

DENR's letter notes that the citizens groups and DENR agree on an important point – that regulation on coal ash has been lax in the past: "It is clear that prior to January 2013 when this Administration took office, Duke Energy was allowed to operate coal ash impoundments resulting in groundwater contamination that potentially threatens threatened North Carolina's environment and public health."

The agency has taken a more strident approach to address groundwater and coal ash contamination than any previous administration, and took many of those actions before the Dan River spill in February 2014 and the SELC's notices of intent to sue letters.

The letter can be found at **ONLINE ADDRESS HERE**. A summary of the letter's contents is contained on the following page.

###

### Summary of DENR's response letter to SELC

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Twitter: <http://twitter.com/NCDENR>

- **Civil actions:** DENR filed in 2013 four lawsuits alleging violations of state law regarding unlawful discharges and groundwater contamination at all 14 Duke Energy facilities. Since DENR's filing of these lawsuits, several special-interest groups have moved to intervene and DENR made no effort to oppose these parties from joining the state's legal actions. According to these groups, they are now "full parties" in the state's actions against the utility.
- **Enhanced inspections:** Since January 2013, DENR has performed more than 75 inspections at Duke Energy's 14 sites with coal ash storage. In March 2014, DENR required the utility to conduct video inspections of all its ash pond piping. DENR identified several issues to be addressed and more information that was needed. The agency is in the process of reviewing and authorizing proposed corrective actions.
- **Reopening permits:** In February 2014, DENR notified the utility that it would be reopening the company's National Pollutant Discharge Elimination System permits for the Dan River site. In March 2014, DENR moved to reopen Duke Energy's Riverbend, Asheville and Sutton permits. Reopening the permits allows the agency to include more terms and conditions to the permit such as enhanced monitoring where necessary to ensure elimination of all unauthorized discharges. In July 2014, Duke submitted applications for NPDES permits for Dan River, Asheville, Sutton, Cliffside, Cape Fear and Belews Creek facilities. DENR is reviewing these applications and the revised permits.
- **Canvassing the discharges:** In order to revise the NPDES permits to eliminate the unauthorized discharges, DENR initiated a vast and unprecedented effort to identify every potential seep statewide. Each potential discharge had to be located, identified, sampled (where there was sufficient flow), catalogued and analyzed to determine the cause of the potential discharge. Staff analyzed hundreds of samples and shared this comprehensive data set with the public and the EPA.
- **Governor's plan:** Recognizing the potential for protracted litigation (Duke Energy has denied every substantive allegation in the lawsuits), DENR's coal ash task force helped develop the governor's Comprehensive Coal Ash Action Plan. The proposal is a thorough, science-based plan that would address coal ash ponds and strengthen environmental and health regulations. It would require closure of all of Duke Energy's coal ash ponds, close loopholes in state law, eliminate special exemptions for utilities, and increase regulatory authority to ensure dam safety and protect water quality.
- **Executive Order No. 62:** The governor's plan formed the foundation for coal ash legislation that progressed through the General Assembly this summer. However, on Aug. 1 the General Assembly signaled that it was unable to agree on a final coal ash bill and deferred taking further action. Given the legislative impasse, Governor McCrory issued Executive Order 62, requiring DENR to expeditiously assess coal ash ponds, initiate a survey of drinking water wells to determine any contamination, halt any violations where necessary, mandate remediation plans for all facilities where violations are found, and continue prosecuting the lawsuits.
- **Putting E.O. 62 into action:** On Aug. 11, DENR sent four letters to Duke Energy requiring Duke to provide excavation plans for Riverbend and Asheville, groundwater assessment plans within 45 days, and local drinking water surveys within 60 days. The letters also called on Duke to conduct weekly inspections of all coal ash impoundments and annual, third-party comprehensive structural assessments. DENR also announced its intention to reopen the NPDES permits for cause for the seven plants that had not yet submitted applications to address and eliminate unauthorized discharges from their coal ash ponds.
- **North Carolina-EPA joint enforcement:** In March, DENR invited the EPA to partner in a potential enforcement action against Duke Energy for Clean Water Act violations at Duke's coal ash facilities in North Carolina. By partnering with the EPA, the combined expertise of the federal and state agencies will help to assess comprehensively Duke's continued noncompliance with the Clean Water Act. The EPA has sent Duke Energy letters requiring more information about potential violations. Enforcement actions, including penalties, may result.
- **Natural Resources Damage Claim:** In May, DENR announced it would serve as one of three trustees in a Natural Resource Damages claim against Duke Energy to address damage to the environment resulting from the Dan River coal ash spill. North Carolina's participation as a trustee will ensure that Duke Energy is held accountable for the damages to North Carolina's environmental resources and will work to require Duke Energy to fund projects that directly restore the damages caused by the spill.
- **Coal Ash Management Act of 2014:** Last week, the General Assembly adopted the Coal Ash Management Act. The legislation, which was approved by lawmakers on Aug. 20, was based on McCrory's April 2014 plan.

Jamie Kritzer, Public Information Officer  
Phone: (919) 707-8602

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Twitter: <http://twitter.com/NCDENR>

**Schwartz, Paul**NON-EXEMPT ☒ PARTIALLY EXEMPT EXEMPT

**From:** Hicks, Matt  
**Sent:** Tuesday, September 09, 2014 9:44 AM  
**To:** Schwartz, Paul  
**Subject:** FW: Recent letter from DENR to Duke  
**Attachments:** dukedecantconditon.pdf

Paul,

Ex 5

Matthew L. Hicks  
Associate Regional Counsel  
U.S. Environmental Protection Agency, Region 4  
Office of Environmental Accountability, 13th Floor  
Atlanta Federal Center  
61 Forsyth Street, S.W.  
Atlanta, Georgia 30303-8960  
Phone: (404) 562-9670  
Fax: (404) 562-9487

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Specific Privilege: DPP ACP AWP

**From:** Mazer, Jodi  
**Sent:** Friday, September 05, 2014 9:39 AM  
**To:** Hicks, Matt  
**Cc:** Bonilla, Araceli; LaPointe, Kevin  
**Subject:** FW: Recent letter from DENR to Duke

Hey Matt -

Ex 5

Jodi Alison Mazer, J.D., M.S.  
Criminal Enforcement Counsel  
United States Environmental Protection Agency  
Special Assistant United States Attorney, S.D. Fla.  
(305) 961-9045 phone  
(305) 536-4651 fax  
[mazer.jodi@epa.gov](mailto:mazer.jodi@epa.gov)  
[jodi.mazer@usdoj.gov](mailto:jodi.mazer@usdoj.gov)

Help EPA fight pollution - report environmental violations at [www.epa.gov/compliance/complaints/index.html](http://www.epa.gov/compliance/complaints/index.html)

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**From:** Rangarajan, Banu (USANCE) <[Banu.Rangarajan@usdoj.gov](mailto:Banu.Rangarajan@usdoj.gov)>  
**Sent:** Friday, September 5, 2014 9:29 AM

**To:** Mazer, Jodi

**Cc:** Pettus, Lana (ENRD)

**Subject:** Recent letter from DENR to Duke

Ex 5





North Carolina Department of Environment and Natural Resources

Pat McCrory  
Governor

John E. Skvarla, III  
Secretary

August 28, 2014

**CERTIFIED MAIL 7013 2630 0001 8998 1581**  
**RETURN RECEIPT REQUESTED**

Mark McIntire  
Duke Energy  
410 S. Wilmington Street  
Raleigh, NC 27601

Subject: Duke Energy Notice of Operating Condition Clarification  
Allen Steam Station NC0004979 Gaston County  
Buck Steam Station NC0004774 Rowan County  
Marshall Steam Station NC0004987 Catawba County  
Lee Steam Electric Plant NC0003417 Wayne County  
Weatherspoon Steam Electric Plant NC0005363 Robeson County  
Mayo Steam Electric Power Plant NC0038377 Person County  
Roxboro Steam Electric Power Plant NC0003425 Person County  
Riverbend Steam Station NC0004961 Gaston County  
Asheville Steam Station NC000396 Buncombe County  
Belews Creek NC0024406 Stokes County  
L.V. Sutton Electric Plant NC0001422 New Hanover County  
Cape Fear Steam Electric NC0003433 Generating Plant Chatham County  
Dan River Combined Cycle Plant NC0003468 Rockingham County  
Cliffside Steam Station NC0005088 Gaston County

Dear Mr. McIntire:

This letter is to clarify operating conditions for NPDES Permits issued to the above listed facilities. The Permittee is authorized by the existing NPDES wastewater permits to decant all the wastewater in the ash pond above the ash level provided the supernatant is directed through the same discharge point and monitored in accordance with the NPDES permit requirements.

The Permittee is prohibited from removing wastewater by dredging the ash, excavating the trenches, or any other mechanical movement of the ash. Duke Energy shall submit the chemical characterization of the interstitial ash water from the ash basin and predicted volume of wastewater that will be generated by mechanical dewatering.

If you have any questions about this letter, please contact me at (919) 807-6309, or via e-mail at [jeff.poupart@ncdenr.gov](mailto:jeff.poupart@ncdenr.gov).

Sincerely,

Jeff Poupart  
Water Quality Permitting Section Chief

cc: EPA Region IV, Mark Nusher  
Central Files  
DWR Regional Offices

1611 Mail Service Center, Raleigh, North Carolina 27699-1611  
Phone 919-707-9000 \ Internet [www.ncwater.org](http://www.ncwater.org)

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**Schwartz, Paul**

☐ NON-EXEMPT ☒ PARTIALLY EXEMPT ☐ EXEMPT

**From:** Nuhfer, Mark  
**Sent:** Wednesday, September 17, 2014 8:42 AM  
**To:** Bouma, Stacey  
**Cc:** Mundrick, Doug; Thomas, Chris; Schwartz, Paul; Staples, Bridget  
**Subject:** RE: EPA/DENR mtg - Duke Coal

Ex 5 DPP

Mark

-----Original Appointment-----

**From:** Bouma, Stacey  
**Sent:** Tuesday, September 16, 2014 6:25 PM  
**To:** Ireland, Laurie; Hom, Michael; Hicks, Matt; Bush, William; Ghosh, Mita; Staples, Bridget; Presnell, Lacy; Evans, John; Poupart, Jeff; Zimmerman, Jay; Vinson, Toby; debra.watts@ncdenr.gov; Bennett, Bradley  
**Cc:** Diaz, Denisse; Olone, Dan; Zimmer, Andrea; Dromgoole, Ahmad; Schwartz, Paul; Nuhfer, Mark; Smith, Danny; Randall, Mike  
**Subject:** EPA/DENR mtg - Duke Coal  
**When:** Wednesday, September 17, 2014 2:00 PM-3:00 PM (UTC-05:00) Eastern Time (US & Canada).  
**Where:** Call In 404-562-9928 PIN: 629928#

Any agenda items for this week's call?

**Schwartz, Paul**

**From:** Ireland, Laurie  
**Sent:** Wednesday, September 17, 2014 11:11 AM  
**To:** Mundrick, Doug; Nuhfer, Mark; Hicks, Matt; Diaz, Denisse  
**Cc:** Schwartz, Paul; Ghosh, Mita  
**Subject:** RE: EPA/DENR mtg - Duke Coal - Wednesday, 2pm

Ex 5

**From:** Mundrick, Doug  
**Sent:** Wednesday, September 17, 2014 11:07 AM  
**To:** Nuhfer, Mark; Ireland, Laurie  
**Cc:** Schwartz, Paul; Ghosh, Mita  
**Subject:** RE: EPA/DENR mtg - Duke Coal - Wednesday, 2pm

Ex 5

Doug

**From:** Nuhfer, Mark  
**Sent:** Wednesday, September 17, 2014 11:03 AM  
**To:** Ireland, Laurie  
**Cc:** Schwartz, Paul; Mundrick, Doug; Ghosh, Mita  
**Subject:** RE: EPA/DENR mtg - Duke Coal - Wednesday, 2pm

Ex 5

Mark

**From:** Ireland, Laurie  
**Sent:** Wednesday, September 17, 2014 10:15 AM  
**To:** Bouma, Stacey; Hom, Michael; Hicks, Matt; Bush, William; Ghosh, Mita; Staples, Bridget; Presnell, Lacy; Evans, John; Poupart, Jeff; Zimmerman, Jay; Vinson, Toby; [debra.watts@ncdenr.gov](mailto:debra.watts@ncdenr.gov); Bennett, Bradley  
**Cc:** Diaz, Denisse; Olone, Dan; Zimmer, Andrea; Dromgoole, Ahmad; Schwartz, Paul; Nuhfer, Mark; Smith, Danny; Randall, Mike  
**Subject:** RE: EPA/DENR mtg - Duke Coal - Wednesday, 2pm

Good morning!

We will be talking today at 2pm. I want to make sure we have the capacity for everyone to dial in as our regular conference line only allows for 6 different numbers.

DENR—how many lines will you all need?

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Specific Privilege: DPP

EPA—do we need more than 1 line or are people working from home today?

No need to reply-all. I will send a new number, if needed.

Thanks!

LEI

Laurie E. Ireland (Lindquist)

Enforcement Officer  
Municipal and Industrial Enforcement Section  
US EPA Region 4  
61 Forsyth Street  
Atlanta, GA 30303  
404.562.9249  
[ireland.laurie@epa.gov](mailto:ireland.laurie@epa.gov)

**From:** Bouma, Stacey

**Sent:** Tuesday, September 16, 2014 6:24 PM

**To:** Ireland, Laurie; Hom, Michael; Hicks, Matt; Bush, William; Ghosh, Mita; Staples, Bridget; Presnell, Lacy; Evans, John; Poupart, Jeff; Zimmerman, Jay; Vinson, Toby; [debra.watts@ncdenr.gov](mailto:debra.watts@ncdenr.gov); Bennett, Bradley

**Cc:** Diaz, Denise; Olone, Dan; Zimmer, Andrea; Dromgoole, Ahmad; Schwartz, Paul; Nuhfer, Mark; Smith, Danny; Randall, Mike

**Subject:** EPA/DENR mtg - Duke Coal - Wednesday, 2pm - Agenda Items?

Hello all,

I apologize about the short notice for our call tomorrow. I will be in training for a majority of Wednesday so if you have any agenda items for the call please let Laurie Ireland know.

Laurie's email is [Ireland.laurie@epa.gov](mailto:Ireland.laurie@epa.gov)

The call is scheduled for 2pm

Ex 5 Dpp

EPA folks – 15H is reserved for this call.

If I (and Laurie) do not hear back from anyone by 12:30, then I will cancel this meeting invite.

Thanks,  
Stacey

Stacey L Bouma  
Chief, Stormwater & Residuals Enforcement Section  
Water Protection Division  
EPA Region 4  
(404) 562-9392

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**Schwartz, Paul**

---

**From:** Mundrick, Doug  
**Sent:** Wednesday, September 17, 2014 11:14 AM  
**To:** Ireland, Laurie; Nuhfer, Mark; Hicks, Matt; Diaz, Denisse  
**Cc:** Schwartz, Paul; Ghosh, Mita  
**Subject:** RE: EPA/DENR mtg - Duke Coal - Wednesday, 2pm

Ex 5

**From:** Ireland, Laurie  
**Sent:** Wednesday, September 17, 2014 11:11 AM  
**To:** Mundrick, Doug; Nuhfer, Mark; Hicks, Matt; Diaz, Denisse  
**Cc:** Schwartz, Paul; Ghosh, Mita  
**Subject:** RE: EPA/DENR mtg - Duke Coal - Wednesday, 2pm

Ex 5

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**Sent:** Wednesday, September 17, 2014 11:07 AM  
**To:** Nuhfer, Mark; Ireland, Laurie  
**Cc:** Schwartz, Paul; Ghosh, Mita  
**Subject:** RE: EPA/DENR mtg - Duke Coal - Wednesday, 2pm

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Doug

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**Sent:** Wednesday, September 17, 2014 11:03 AM  
**To:** Ireland, Laurie  
**Cc:** Schwartz, Paul; Mundrick, Doug; Ghosh, Mita  
**Subject:** RE: EPA/DENR mtg - Duke Coal - Wednesday, 2pm

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**From:** Ireland, Laurie  
**Sent:** Wednesday, September 17, 2014 10:15 AM  
**To:** Bouma, Stacey; Hom, Michael; Hicks, Matt; Bush, William; Ghosh, Mita; Staples, Bridget; Presnell, Lacy; Evans, John; Poupart, Jeff; Zimmerman, Jay; Vinson, Toby; [debra.watts@ncdenr.gov](mailto:debra.watts@ncdenr.gov); Bennett, Bradley  
**Cc:** Diaz, Denisse; Olone, Dan; Zimmer, Andrea; Dromgoole, Ahmad; Schwartz, Paul; Nuhfer, Mark; Smith, Danny;